



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

November 16, 2021

MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, Chairman, District I
Mr. Paul Cain, Vice Chairman, District III
Mr. Julian Davis III, Chairman Pro Tem, District IV
Mr. Glenn Hart, District V
Mr. Matthew Durham, District II

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root, & Jennifer C. Adams, Clerk to Council present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeesc.com/council]. In addition, it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Riley Morningstar / The Journal

Call to Order

Mr. Elliott called the meeting to order at 6:00 p.m.

Mr. Elliott opened the meeting reminding the public they have two opportunities to speak during Council meetings, which is during the public comment session and also during the public hearing session, if scheduled. Other than those two instances, the public should remain silent during the Council meeting. Anyone making a disturbance during the meeting will be asked to leave Council Chambers for the remainder of the meeting.

Moment of Silence

Mr. Elliott asked for a moment of silence prior to the Invocation by County Council Chaplain.

Invocation by County Council Chaplain

Mr. Root, County Council Chaplain, gave the invocation.

Pledge of Allegiance

Mr. Davis led the Pledge of Allegiance to the Flag of the United States of America.

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Approval of Minutes

Mr. Durham made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the October 19, 2021 Regular Minutes as presented.

Mr. Davis made a motion, seconded by Mr. Hart. Approved 5 – 0, to approve the November 5, 2021 Special Meeting Minutes as presented.

Attorney's Comments

None at this meeting.

Administrator's Comments

Ms. Brock addressed Council and the public in regards to a recent printed publication related to Oconee County's Account Balances. A large, 11x17, printed copy of the Account Balances [copy in backup] was made available to the public at the meeting in efforts to clear up any confusion or miscommunication concerning Oconee County's Payroll and Account balances. B

Proclamations

PROCLAMATION 2021-16 A PROCLAMATION DECLARING NOVEMBER 1, 2021, POWER PLANT WORKER APPRECIATION DAY.

Mr. Elliott read the **Proclamation 2021-16** into the record.

Mr. Durham made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Proclamation 2021-16** on the first and final reading.

In attendance were four Duke Energy employees that came forward to accept Proclamation **2021-16**.

Public Comment Session

If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Jennifer C. Adams at jennifercadams@oconeesc.com or 864-718-1023, so that she may receive your comment and read it into the record.

Mr. David Dial addressed Council concerning a November 10, 2021 published article related to Oconee County's Account Balances.

Ms. Erin Green addressed Council with her opinion that the Tamasee/Picket Post area is in need of a Convenience Center.

Ms. Susie Cornelius addressed council with her concerns and opinions related to the City of Seneca asking for more votes with the Oconee Joint Regional Sewer Commission. Ms. Cornelius is not in favor of the City of Seneca having additional votes.

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Mr. Tony Adams addressed council with his concerns related to the ability of the County Administrator to authorize certain spending items under \$50,000.00 without Council approval. Mr. Adams believes that this policy should be reviewed.

Mr. Mike Smith, Planning Commission Chair, expressed his thanks to Ms. Vivian Kompier for all her hard work in the last few months, as she served as Interim Planning Director.

Mr. Mickey Haney addressed Council asking for additional information concerning certain Oconee County Account Balances. Mr. Haney challenged all Council members to pull 10 items out of the check registry and decipher where they belong. Mr. Haney expressed his opinion that the County should display a 3 Point Match.

Council Members Comments

Mr. Durham responded to all citizen's comments that spoke during the Public Comment session.

Mr. Hart responded to Ms. Susie Cornelius relating to her concerns with the OJRSA.

Public Hearings for the Following Ordinances

If you are not able to attend in person and you would like to be heard during the public hearings, please contact Jennifer C. Adams at jennifercadams@oconeesc.com or 864-718-1023 so that your participation may be coordinated. .

Ordinance 2021-22 AN ORDINANCE AUTHORIZING (A) THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA ("COUNTY"), AND OCONEE HOUSING SOLUTIONS, LLC WITH RESPECT TO CERTAIN ECONOMIC DEVELOPMENT PROPERTY IN THE COUNTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF TAXES, INCLUDING THE PROVISION OF CERTAIN SPECIAL SOURCE CREDITS; (B) THE COUNTY TO TRANSFER REAL PROPERTY OWNED BY THE COUNTY TO OCONEE HOUSING SOLUTIONS, LLC; (C) THE COUNTY TO CREATE A MULTI-COUNTY INDUSTRIAL/BUSINESS PARK WITH PICKENS COUNTY, SOUTH CAROLINA, AND DESIGNATE THE PROPERTY TO BE OWNED BY OCONEE HOUSING SOLUTIONS, LLC AS MULTI-COUNTY PARK PROPERTY; AND (D) OTHER MATTERS RELATED THERETO.

Mr. Elliott opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Elliott opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

Mr. Elliott asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Elliott closed the Public Hearing regarding **Ordinance 2021-22**.

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Third Reading of the Following Ordinances

Ordinance 2021-22 [see caption above]

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to approve **Ordinance 2021-22** on third & final reading.

Second Reading of the Following Ordinances

[None scheduled.]

First Reading of the Following Ordinances

Ordinance 2021-25 AN ORDINANCE TO DEVELOP A JOINT COUNTY INDUSTRIAL/BUSINESS PARK IN CONJUNCTION WITH ANDERSON COUNTY, SUCH INDUSTRIAL/BUSINESS PARK TO BE GEOGRAPHICALLY LOCATED IN ANDERSON COUNTY AND ESTABLISHED PURSUANT TO SEC. 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; TO PROVIDE FOR A WRITTEN AGREEMENT WITH ANDERSON COUNTY TO PROVIDE FOR THE EXPENSES OF THE PARK, THE PERCENTAGE OF REVENUE APPLICATION, AND THE DISTRIBUTION OF FEES IN LIEU OF *AD VALOREM* TAXATION; AND OTHER MATTERS RELATED THERETO.

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to approve **Ordinance 2021-25** on first reading.

First & Final Reading of the Following Resolutions

RESOLUTION 2021-15 “A RESOLUTION AUTHORIZING THE PURCHASE OF APPROXIMATELY TWO (2) ACRES OF REAL PROPERTY FROM MARANATHA BAPTIST CHURCH, INC. OF SENECA, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO.”

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Resolution 2021-25** on the first and final reading.

Discussion Regarding Action Items

Discuss 2020 Redistricting plan and next steps

Mr. Elliot opened discussion for the Redistricting Plan.

Mr. Root, County Attorney, gave an update to Council regarding the Redistricting Plan.

Mr. Elliott made a motion, seconded by Mr. Cain, to direct the County Attorney and staff to prepare a map that moves the top portion of Tamasee/Salem precinct in District II, accomplishing the movement of approximately 750 citizens from District I to District II and that the County Attorney report back to the council meeting the results.

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During discussion Mr. Durham addressed Mr. Root with some questions regarding splitting precincts.

Mr. Elliott invited Ms. Kristie Burr, Director of Voters Registration and Elections, up to offer information on the new process for the check-in system for voters. Ms. Burr addressed Council with this new process as well as citing the pro's and con's.

Mr. Cain addressed Mr. Elliot asking for clarification in regards to his motion.

Motion approved 5 – 0, to direct the County Attorney and staff to prepare a map that moves the top portion of Tamasee/Salem precinct in District II, accomplishing the movement of approximately 750 citizens from District I to District II and that the County Attorney report back to the council meeting the results.

Public Comment Session regarding Redistricting 2020

If you are not able to attend in person and you have a comment, you may submit it by emailing jennifercadams@oconeesc.com or calling 864-718-1023, so that your comment may be read it into the record.

Noting that no citizen signed up for Public Comment, Mr. Elliott proceeded read into record two emailed comments regarding the Redistricting 2020. One from Ms. Sandra Land and the other from Ms. Ruth Reed and Ms. Linda Gahan, Co-Presidents of the League of Women's Voters for Oconee and Pickens Counties. Copies of these comments can be found in the backup material.

Mr. Elliott invited the public to make any other comments before closing the session.

Mr. Randy Jones addressed Council at that time with his questions regarding the Redistricting Plan/Process.

Procurement #: RFP 21-06

Title: Drilling & Blasting Service

Department: Quarry

Amount: \$725,000.00

RFP 21-06 for Drilling and Blasting Services was issued on August 30, 2021 and opened on September 30, 2021. Eleven (11) companies were originally notified of this opportunity and proposals were received from two firms. An Evaluation Committee consisting of County Staff reviewed and scored the proposals and recommended Quick North Carolina, dba Elite Blasting Services, LLC. for award. Quick North Carolina's home office is located in Ankeny, IA. The local office to Oconee County is located in Jefferson, GA.

It is the staff's recommendation that Council

1. Approve Award RFP 21-06, Drilling and Blasting Services for the Oconee County Quarry to Quick North Carolina, dba Elite Blasting Services, LLC, of Ankeny, IA for an estimated amount of \$725,000.00.
2. Authorize the County Administrator to renew this contract for up to four (4) one-year periods, as long as the amount does not exceed the amount budgeted for drilling and blasting and provided their work is satisfactory.

It is the staff's recommendation that Council

1. ***Approve Award RFP 21-06, Drilling and Blasting Services for the Oconee County Quarry to Quick North Carolina, dba Elite Blasting Services, LLC, of Ankeny, IA for an estimated amount of \$725,000.00.***

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2. *Authorize the County Administrator to renew this contract for up to four (4) one-year periods, as long as the amount does not exceed the amount budgeted for drilling and blasting and provided their work is satisfactory.*

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve Award RFP 21-06, Drilling and Blasting Services for the Oconee County Quarry to Quick North Carolina, dba Elite Blasting Services, LLC, of Ankeny, IA for an estimated amount of \$ 725,000.00. As well as authorizing the County Administrator to renew this contract for up to four (4) one-year periods, as long as the amount does not exceed the amount budgeted for drilling and blasting and provided their work is satisfactory.

**Title: Engineering Services for Culvert Replacements
& Bridges**

Department: Roads

Amount: \$88,740.57

On June 1, 2021 County Council approved the award of RFP 20-02 for On Call Engineering Services to TranSystems Corporation, of Greenville, SC for Category B: On Call Roadway & Bridge Services. The Roads & Bridges Department wishes to contract with TranSystems Corporation to provide engineering services for the replacement of five (5) culverts within Oconee County; Busch Creek Rd over Coneross Creek, Cobb Bridge Road over Rocky Fork Creek, Megee Rd over Smeltzer Creek, Conley Rd over Whetstone Creek and Dana Drive over unnamed tributary.

In February 2020 severe storms brought heavy rains that flooded and washed out several County maintained roads. FEMA issued a major disaster declaration for the event on March 17, 2020. The five roads listed were set aside as potential projects for hazard mitigation grant funding through FEMA. With the projects approved the next steps will be project scoping and development to decide what structures (i.e. box culverts or bridges sizes and length) will be used to repair the roads.

TranSystems Corporation will provide services such as: verify / update Hydrology analysis, develop existing conditions models, develop proposed design alternate, summarize results and provide recommendations, coordinate with Structural Engineer, provide conceptual plan, profile sheet and cost estimates for the five (5) culverts listed above.

It is the staff's recommendation that Council approve

1. *Award of \$88,740.57 to TranSystems Corporation., of Greenville, SC for engineering services for the above mentioned projects.*

2. *Authorize the County Administrator to transfer sufficient funds for above Engineering Services to department professional line item.*

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to approve the award of \$88,740.57 to TranSystems Corporation., of Greenville, SC for engineering services for the above mentioned projects. As well as authorizing the County Administrator to transfer sufficient funds for above Engineering Services to department professional line item.

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Title: One (1) Pumper Fire Truck with Loose Equipment Department(s): Emergency Services
Amount: \$387,283.00

This Fire Truck is a Pierce Pumper built on Freightliner M2-106 two door cab and chassis with Cummins L9 350 HP Diesel engine, Allison EVS 3000 automatic transmission, Waterous CSU 1250 pump, UPF 1000-gallon tank, Whelen LED lighting and will include loose equipment. This apparatus will be built in accordance to NFPA (National Fire Protection Association).

The County is utilizing the H-GAC (Houston-Galveston Area Council of Governments) contract through a cooperative purchasing agreement. H-GAC cooperative purchasing allows government agencies to purchase directly from the manufacturer or authorized dealers. H-GAC contracts are bid and awarded on a national level and purchases may be fulfilled by the manufacturer and / or authorized local or state dealers.

It is the staff's recommendation that Council approve the award of One (1) Pumper Fire Truck to Spartan Fire and Emergency Apparatus, of Roebuck, SC, in the amount of \$387,283.00.

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to approve the award of One (1) Pumper Fire Truck to Spartan Fire and Emergency Apparatus, of Roebuck, SC, in the amount of \$387,283.00.

Oconee County requests permission to propose a lease agreement with the United States Army Corp of Engineers (USACE) to facilitate appropriate shoreline designation for a public access trail and courtesy dock to be located adjacent to Hartwell Village property and Lakeside Lodge property on Lake Hartwell.

This request is based on the nature of redevelopment of this area from a former manufacturing brown field site to a thriving mixed-use development with over 15 retail stores and restaurants creating a new high density area for public usage. As such, this land would be considered a new High Density Public Recreation Area as defined in the most recent Hartwell Dam and Lake Project Master Plan Update (4.1.2 High Density Recreation) of October 2021. High Density Recreation is defined in the master plan as “lands acquired for project operations and allocated for use as developed public use areas for intensive recreation activities by the visiting public, including areas for concession and group use development.”

Staff recommends approval for the Administrator to sign a proposal to the USACE for a new lease agreement to facilitate appropriate shoreline designation for a public access trail and courtesy dock to be located adjacent to Hartwell Village property and Lakeside Lodge property on Lake Hartwell.

Mr. Cain made a motion, seconded by Mr. Davis, to approve granting Oconee County permission to propose a lease agreement with the United States Army Corp of Engineers (USACE) to facilitate appropriate shoreline designation for a public access trail and courtesy dock to be located adjacent to Hartwell Village property and Lakeside Lodge property on Lake Hartwell.

Mr. Elliott opened discussion for this motion.

Mr. Hart shared that he is not in support of this proposal and gave his thoughts on the matter.

Motion approved 4 – 1, with Mr. Hart against.

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Council consideration and approval of funding allocation to the Blue Ridge Community Center for Clemson University's Phase Two Mill Hill Opportunity Zone Proposal in the amount of \$59,882. This is for the development and completion of the Opportunity Zone design work, focusing efforts on the East South Sixth Street Corridor in the Utica Mill Hill area in central Oconee County.

The Blue Ridge Community Center is a charitable organization located in the heart of the Utica Mill Hill Opportunity Zone. The Community Center has agreed to serve as the hub for community meetings, presentations and other forms of outreach related to the Phase Two Opportunity Zone Project. The Community Center will also work in tandem with Clemson University toward the completion of the following items:

- Data Collection, including maps, GIS information, and preliminary research for existing conditions;
- Comprehensive Inventory and Analysis of the project area, including land use analysis, historic overview analysis and hydrology and watershed analysis;
- Strength, Weakness, Opportunities and Threats (SWOT) Analysis to determine appropriate design solutions;
- Planning, organizing and conducting community meetings for public input;
- Design and development of a Community Survey and community feedback collection;
- Generate a community profile based on GIS analysis, the American Community Survey (ACS) and demographic data;
- Conceptual design drawings; and
- Assembling conceptual design drawings for presentations, including a PDF and PowerPoint format.

The Blue Ridge Community Center is a registered non-profit [501(c) – 3] organization.

The funding source is identified in the FY2022 Budget from the “Community Support” line item.

Clemson University Proposal is \$49,882

Blue Ridge Community Center allocation is \$10,000

It is staff's recommendation that Council approve the allocation of \$59,882 to the Blue Ridge Community Center for Clemson University's Phase Two Mill Hill Opportunity Zone Proposal.

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to approve funding allocation to the Blue Ridge Community Center for Clemson University's Phase Two Mill Hill Opportunity Zone Proposal in the amount of \$59,882. This is for the development and completion of the Opportunity Zone design work, focusing efforts on the East South Sixth Street Corridor in the Utica Mill Hill area in central Oconee County.

Council Committee Reports

None scheduled for this meeting.

Board & Commission Appointments

Building Codes Appeal Board

No nomination was made for the At-Large seat during this meeting.

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Executive Session:

Mr. Hart made a motion, seconded by Mr. Cain, approved 5 – 0, to enter into Executive Session for the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

[1] Discuss an Economic Development matter, Project Queso.

[2] Discuss an Economic Development matter, Project Ruby Slipper.

[3] Receive legal advice and discuss potential litigation regarding Elevated Youth Services.

[4] Receive legal advice and discuss opioid litigation.

Council entered Executive Session at 7:10 p.m.

Council returned from Executive Session at 8:06 p.m. on a motion made by Mr. Hart, seconded by Mr. Cain, approved 5 – 0.

Mr. Elliott stated that no action was taken in Executive Session.

Mr. Root proposed a motion to Council for consent to the request of our opioid outside litigation counsel to attempt to negotiate a partial resolution as discussed.

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the motion for consent to the request of our outside litigation counsel to attempt to negotiate a partial resolution.

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 8:07 p.m.

Respectfully Submitted:

Jennifer C. Adams
Clerk to Council

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